

**ASSEMBLY BILL**

**No. 1308**

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**Introduced by Assembly Member Hagman**

February 27, 2009

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An act to amend Section 2101 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1308, as introduced, Hagman. Elections: registration.

Existing law specifies the qualifications for registration as a voter and excludes from eligibility a person in prison or on parole for the conviction of a felony. Under existing law, a person who willfully allows himself or herself, or another person, to register as a voter knowing that the registration qualifications are not met, is guilty of a crime.

This bill would additionally make a person on probation for the conviction of a felony not eligible to register to vote, and would provide that a prohibition against voting is a condition of imprisonment, parole, or probation for conviction of a felony.

Because the bill would create new crimes, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2101 of the Elections Code is amended  
2 to read:

3     2101. (a) A person entitled to register to vote shall be a United  
4 States citizen, a resident of California, not in prison or on parole  
5 or probation for the conviction of a felony, and at least 18 years  
6 of age at the time of the next election.

7     (b) *A prohibition against voting while imprisoned for, or on*  
8 *parole or probation for, the conviction of a felony shall be a*  
9 *condition of that imprisonment, parole, or probation.*

10    SEC. 2. No reimbursement is required by this act pursuant to  
11 Section 6 of Article XIII B of the California Constitution because  
12 the only costs that may be incurred by a local agency or school  
13 district will be incurred because this act creates a new crime or  
14 infraction, eliminates a crime or infraction, or changes the penalty  
15 for a crime or infraction, within the meaning of Section 17556 of  
16 the Government Code, or changes the definition of a crime within  
17 the meaning of Section 6 of Article XIII B of the California  
18 Constitution.